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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MORRIS C. AARON, Liquidating Trustee of the
First Magnus Liquidating Trust, real party in
interest for FIRST MANGUS FINANCIAL
CORPORATION,

Plaintiff,

v.

CARA MARIA GUDELIS and JOHN DOE
GUDELIS, a married couple; RUDOLF STRAAT
and JANE DOE STRAAT, a married couple;
PAUL HILL, SR. and JANE DOE HILL, a
married couple; PAUL HILL, II and JANE DOE
HILL, a married couple; MICHAEL MULLINS
and JANE DOE MULLINS, a married couple;
DWAYNE R. SMITH and JANE DOE SMITH, a
married couple; TIMOTHY ENGEN and JANE
DOE ENGEN, a married couple; OPTIONS ARE
US, INC., a Nevada corporation; PANTHER
INVESTMENTS, a Nevada entity; FAT CAT
REAL ESTATE, LLC, a Nevada limited liability
company; NUTEX CONSTRUCTION, INC., a
Nevada Corporation; ACCURATE
ACCOUNTING AND INNOVATIVE TAX
SERVICE, a dissolved Michigan corporation;
KELSEY, LLC, a Nevada limited liability

NO. 2:07-CV-00132-JCM-PAL

**NOTICE OF SETTLEMENT AND
STIPULATED MOTION TO DISMISS
MATTER WITH PREJUDICE AS TO
DEFENDANT ACE APPRAISALS
CORPORATION**

company; SW CAPITAL CORPORATION, a Nevada or Texas entity; ACE APPRAISALS CORPORATION, a Nevada corporation; STODDARD & ASSOCIATES, a Nevada corporation; COMMONWEALTH LAND TITLE COMPANY, a Nevada corporation; LAWYERS TITLE OF NEVADA, INC., a Nevada corporation,

Defendants.

NOTICE OF SETTLEMENT AND STIPULATED MOTION TO DISMISS MATTER WITH PREJUDICE AS TO DEFENDANT ACE APPRAISALS CORPORATION

Pursuant to FED. R. CIV. P. 41(a) and L.R. 7-1, and in accordance with the terms of a Settlement Agreement entered into between Plaintiff Morris C. Aaron, Liquidating Trustee of the First Magnus Liquidating Trust, and real party in interest for First Magnus Financial Corporation (the "Plaintiff") and Defendant Ace Appraisals Corporation ("Ace Appraisals") (Plaintiff and Ace Appraisals will be collectively referred to as the "Parties"), the Parties, by and through their respective undersigned counsel, hereby provide notice to this Court that the Parties have settled all claims between them and jointly move for an order of dismissal with prejudice of this proceeding filed by Plaintiff **as to only** those claims against Ace Appraisals. This Notice of Settlement and Stipulated Motion to Dismiss Matter with Prejudice as to Defendant Ace Appraisals Corporation (the "Notice") neither includes nor applies to any of the remaining defendants or any of Plaintiff's claims against such remaining parties.

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1 Accordingly, the Parties respectfully requests that this Court enter an order dismissing
2 with prejudice all claims against Ace Appraisals only, each party to bear its own costs and fees.
3 Further, and in accordance with the terms of the Settlement Agreement executed by and between
4 the Parties, this Court shall retain jurisdiction to enforce the Settlement Agreement, if necessary.

5 DATED this 19th day of November, 2012.

7 **COTTON, DRIGGS, WALCH**
8 **HOLLEY, WOLOSON & THOMPSON**

MORRIS POLICH & PURDY LLP

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15 *Attorneys for Plaintiff*

16 **ORDER**

17 IT IS SO ORDERED.

18 DATED November 20, 2012.

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21 HONORABLE JAMES C. MAHAN
22 UNITED STATES DISTRICT JUDGE
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